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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

PARK AVENUE CONSULTING GROUP INC.,)
Plaintiff,) Returnable _____ 2008
v.) 10:00 a. m. Room 21B
NEWGOLD INC. and FIRSTGOLD CORP.)
Defendants,) Civil Action No.08 Civ. 1850 (CM) (GWG)
AMENDED NOTICE OF MOTION
TO STRIKE DEFENSES IN
AMENDED ANSWER AND
OTHER RELIEF

To: BLAIR & ROACH, LLP
Attorneys for Defendants
2645 Sheridan Drive
Tonawanda, New York 14150

PLEASE TAKE NOTICE that Plaintiff Park Avenue Consulting Group Inc. ("PACG") by its undersigned attorney, pursuant to Federal Rule of Civil Procedure Rules 7.; 8.(a); 8.(b)(1)(A); 12. (e); 12. (f). and ¶ 2 D., Individual Practices of Judge McMahon, revised 2/3/2006, and based on the accompanying Declaration of David Filler ("Filler") and the Memorandum of Law, will bring a motion on for hearing before this Court at Room 21B, United States Court House, 500 Pearl Street, City of New York with no designated return date. In

accordance with said Rule 2. D., answering papers or motions are to be served within two weeks of the receipt date of this Notice of Motion and filed promptly thereafter.

WHEREFORE, PACG respectfully seeks an Order: (1) striking all of the Defendants' Newgold Inc. and Firstgold Inc. (the "GOLDS") Affirmative Defenses on the grounds that in both their Answer and Amended Answer, served after PACG's Motion to Strike, only 'bare bones' conclusions of law are set forth that fail to comply with Fed.R.Civ.P. Rule 8.(a); or, alternatively, (2) striking the Second Defense of *laches* as it is an equitable defense that cannot be asserted in this action at law; (3) striking the Fourth Defense of statute of limitations as the breach occurred within the 6 year limitation period before the Summons and Complaint were filed with the Clerk of New York County; (4) striking the Sixth Defense of unclean hands as it is an equitable defense that cannot be asserted in this action at law; (5) striking the Seventh Defense of lack of personal jurisdiction as the agreement between the parties has a forum selection clause naming New York County and as the GOLDS have waived the defense of personal jurisdiction by asserting a Counterclaim in their Amended Answer; and, (6) moving for a more definite statement of the Counterclaim under Fed. R. Civ. P. Rule 12. (e). PACG seeks such other and further relief as this Court deems just.

The grounds for the relief sought are set forth in the annexed Declaration of Filler and the accompanying Memorandum of Law.

May 27, 2008.

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By: /s/ David F. Filler (DF-6850)

David F. Filler (Bar No. DF- 6850)

Courtesy Copy Sent by FED EX to:

Hon. Colleen McMahon,
U. S. District Court Judge
U. S. District Court
Southern District of New York
500 Pearl Street
21-B
New York, NY 10007-1312